

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

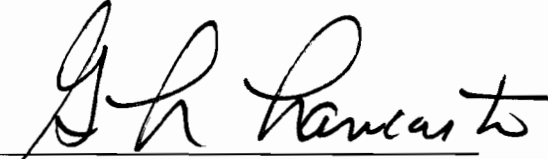
ANTHONY SIDES,	)	
Plaintiff,	)	
	)	
vs.	)	Civil Action No. 03-494
	)	
OFFICER CHERRY, et al.,	)	
Defendants.	)	

ORDER

AND NOW, this 10<sup>th</sup> day of May, 2007, after the plaintiff, Anthony Sides, filed an action in the above-captioned case, and after motions for summary judgment were submitted by the plaintiff and by the defendants (Officer Brown, Officer Cherry, Officer Rush and Officer Juliani), and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and no objections having been filed, and upon independent review of the motions and the record, and upon consideration of the Magistrate Judge's Amended Report and Recommendation (Docket No. 82), which is adopted as the opinion of this Court,

IT IS ORDERED that the Motion for Summary Judgment submitted on behalf of defendants Cherry, Brown, Rush and Juliani (Docket No. 63) is denied.

IT IS FURTHER ORDERED that the motion for summary judgment submitted by plaintiff (Docket No. 69) is denied.

  
\_\_\_\_\_  
Gary L. Lancaster  
United States District Judge

cc: Anthony Sides  
EF-1736  
SCI Camp Hill  
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All counsel of record